

REMARKS

The Examiner is thanked for the Office Action of December 07, 2004. This request for reconsideration is intended to be fully responsive thereto.

35 U.S.C. § 102(b) Rejection

The Examiner rejected Claims 1-6 under 35 U.S.C. § 102(b) as being anticipated by Komoda et al. (US 2001/0017245 A1) or Komoda et al JP 2001-234957 (listed in our IDS sheet). With respect to European Search Report for EP001447586A3 the Examiner directs Applicant to the abstracts and Figures 1, 3, 4A, 4B of each Komoda et al (US 2001/0017245 A1 or JP 2001-234957). The Applicant respectfully disagrees with the Examiner's rejections.

The Applicant now shows that one or more important and significant elements of the present application are not disclosed, present or suggested anywhere in the cited references.

Claim 1 of the present invention discloses "a secondary seating of the brake, on which the cable end fitting is temporarily seated." The secondary seating plays an important roll in that the secondary seating is configured to allow the cable end fitting to temporarily be seated at the first stage of the cable engaging operation. Therefore, the secondary seating is useful and important to the present invention. However, this secondary seating is not mentioned, disclosed, or suggested anywhere in the US Patent Application Publication No. US 2001/0017245 or Japanese Patent Application Publication No. JP 2001-234957, both to Komoda et al.

Claim 1 of the present invention further discloses, "a cable disengagement prevention configuration is provided between an intermediate portion of the brake

lever that is located between the primary seating and the secondary seating, and the brake shoe." The cable disengagement prevention configuration plays an important roll in that the cable disengagement prevention configuration is configured to allow the cable end fitting to pass from the secondary seating to the primary seating only when the brake lever is rotated but prevents the cable end fitting from passing from the primary seating to the secondary seating when the brake lever is not rotated. Therefore, the cable disengagement prevention configuration is useful and important to the present invention. The Applicant refers the Examiner to US 2001/0017245 or JP 2001-234957 both to Komoda et al. Neither of these references discloses a cable disengagement prevention configuration.

Accordingly, based on the previous arguments and reasoning the Applicant respectfully submits that the Examiner's rejections based on 35 U.S.C. § 102(b) is improper and as such are moot and that claims 1-6 are now in condition for allowance.

Claim amendment based on the Examiner's rejection

Based on the Applicant's understanding of the Examiner's claim rejections Applicant has herein amended claims 1 and 3 to 5 and has canceled claims 2 and 6 of the present application to clarify the claims and to more clearly show the invention. No new matter has been added.

The amendments to the Claims are made to clarify and stress that the brake cable is prevented from disengagement from the brake lever by the cable end disengagement prevention configuration composed of the "intermediate portion of the brake lever between the primary seating and the secondary seating", and the

"brake shoe". Claim 1 has been amended to read "[a] brake cable connecting apparatus for a drum brake device, comprising: a brake lever, a proximal portion thereof is superposed and pivotally supported on a brake shoe so as to move at least one brake shoe outwardly, a U-shaped groove is formed in a distal portion thereof, and a primary seating is provided around a bottom of the U-shaped groove at a cable ~~releasing~~ release side so as to face a shoe rim of the brake shoe; and a brake cable, an inner cable thereof received into the U-shaped groove, and a cable end fitting thereof, fixed on one end of the inner cable, is seated on the primary seating, wherein a secondary seating, on which the cable end fitting is temporarily seated, is provided around an opening of the U-shaped groove of the brake lever at the cable ~~releasing~~ release side and also provided at a portion apart from the primary seating so as to face the shoe rim of the brake shoe; and a cable disengagement prevention configuration is provided between an intermediate portion of the brake lever that is located between the primary seating and the secondary seating, and the brake shoe, the cable disengagement prevention configuration so as to allow the cable end fitting to pass from the secondary seating to the primary seating only when the brake lever is rotated but ~~to~~ prevents the cable end fitting from passing from the primary seating to the secondary seating when the brake lever is not rotated."

CONCLUSION

In view of the above, Applicant respectfully submits that each of claims 1 through 6 recites statutory subject matter that is novel and new, is subject matter of the present invention and is fully supported in the disclosure of the present invention,

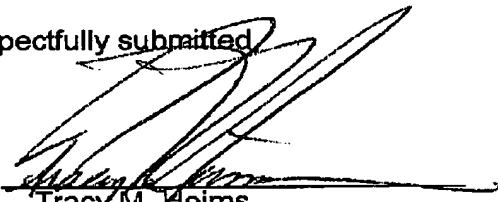
and therefore respectfully requests that claims 1 through 6 be found allowable and that this application be passed to issue. No new matter has been included.

If for any reason, the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact the Applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper has not been timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 50-2069.

Respectfully submitted

By:


Tracy M. Heims
Reg. No. 53,010

Apex Juris, PLLC
13194 Edgewater Lane Northeast
Seattle, Washington, 98125
Email: tracy@apexjuris.com
Phone (206) 664-0314
Fax (206) 664-0329